

FISH & RICHARDSON P.C.

Frederick P. Fish
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1859-1951

VIA PERSONAL DELIVERY

December 4, 2007

Honorable William H. Pauley III
United States District Court
Southern District of New York
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New York, NY 10007-1312

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Re: Buffets, Inc. v. Old Town Buffet Restaurant, Inc.
Civil Action No. 07 CIV 7209 (WHP)



ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

MUNICH

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Judge Pauley:

We represent Plaintiff Buffets, Inc. in the above identified matter. The parties are engaged in settlement discussions and anticipate that a settlement will be reached soon that would resolve this case. As such, the parties jointly request adjournment of both the December 7, 2007 deadline by which the Rule 26(f) report is due, as well the Initial Pretrial Conference currently scheduled for December 14, 2007. This letter is being submitted with the consent of the Defendant.

No prior request for extensions of this conference has been made. We thank the Court for its attention to this matter.

Respectfully submitted,

Kristen A. McCallion

cc: Mark I Reisman, Esq. Reisman, Rubeo & McClure, LLP (via e-mail)
Joel D. Leviton, Esq., Fish & Richardson P.C. (via e-mail)
Raymond R. Castello, Esq. Fish & Richardson P.C. (via e-mail)

Application granted. The conference is adjourned until January 18, 2008 at 10:45a.m.
SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.
12/12/07